

STAND. COM. REP. NO. 204

Honolulu, Hawaii

FEB 13 2023

RE: S.B. No. 1485
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committees on Government Operations and Water and Land,
to which was referred S.B. No. 1485 entitled:

"A BILL FOR AN ACT RELATING TO CAPITAL IMPROVEMENT PROJECTS
AT STATE SMALL BOAT HARBORS AND STATE PARKS,"

beg leave to report as follows:

The purpose and intent of this measure is to allow the
Department of Land and Natural Resources to engage in capital
improvement project work at state small boat harbors and state
parks without prior approval from the Legislature and Governor.

Your Committees received testimony in support of this measure
from the Department of Land and Natural Resources, Ocean Tourism
Coalition, Trilogy Corporation, and three individuals. Your
Committees received testimony in opposition to this measure from
the Department of Budget and Finance and Wailoa River and Reeds
Bay Boating and Users Association. Your Committees received
comments on this measure from Calypso Charters.

Your Committees find that state small boat harbors and state
parks are important locations for the State, serving as hubs of
ocean and land-based recreation for residents and visitors alike.
Small boat harbors have endured impacts from numerous vessels, and
both small boat harbors and state parks have been weathered by
vehicles, visitors, and vandalism. Further, state small boat



harbors and state parks have an extensive backlog for the construction, repair, and maintenance of critical infrastructure.

Your Committees further find that many efforts were made by the Division of Boating and Ocean Recreation and Division of State Parks to repair and redevelop small boat harbors and conduct repair and maintenance on state park features and infrastructure. Both divisions are working toward developing a new process to provide for the redevelopment of their facilities, and the Division of State Parks is developing an asset management program to standardize routine repair and maintenance efforts to reduce the need for capital improvement projects. However, repair work is needed immediately to ensure that small boat harbors and state parks provide attractive, high quality, and safe experiences for Hawaii's residents and visitors.

Your Committees further find that repair, maintenance, and construction needs often arise when the Legislature is not in session. However, due to the statutory requirement that capital improvement projects be approved by the Legislature and Governor, many capital needs are put on hold until the next legislative session. This leads to the further deterioration of facilities and increased costs to the State. This Act would provide a streamlined and efficient response to address capital needs in a timely manner and with the best cost-efficiency for the State.

Your Committees have amended this measure by:

- (1) Inserting language to clarify that authorization by the Legislature and the Governor for capital improvement projects is not required for existing facilities only;
- (2) Inserting an effective date of July 1, 2112, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purpose of clarity and consistency.


Your Committees note that there was a robust discussion between the Department of Budget and Finance, Department of Land and Natural Resources, and Division of State Parks. The Department of Land and Natural Resources and Division of State Parks indicated that improvements occur when the Legislature is



not in session and repairs are desperately needed. The Department of Budget and Finance pointed out that article VII, section 5, of the Hawaii State Constitution states that expenditures for capital improvement projects need to be authorized by the Legislature. Your Committees find that the issues raise concerns that merit further consideration and request that, should your Committee on Ways and Means choose to deliberate on this measure, that it further examine those issues and concerns raised by the testifiers on this measure.

As affirmed by the records of votes of the members of your Committees on Government Operations and Water and Land that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1485, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1485, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Government
Operations and Water and Land,

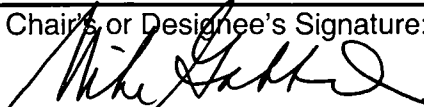

LORRAINE R. INOUE, Chair


ANGUS L.K. MCKELVEY, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Government Operations
GVO

Bill / Resolution No.:*	Committee Referral:	Date:		
SB1485	GVO/WTL, WAM	2-7-23		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
MCKELVEY, Angus L.K. (C)	✓			
GABBARD, Mike (VC)	✓			
SAN BUENAVENTURA, Joy A.	✓			
WAKAI, Glenn	✓			
AWA, Brenton	✓			
TOTAL	5	—	—	—
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes

